

MORTGAGE RECORD

33873

SAML DODSWORTH BOOK CO., LEAVENWORTH, KAN. No. 21051

MORTGAGE OF REAL ESTATE

THIS INDENTURE, Made this twenty-sixth day of August, A. D. 1911, between Matie A Dart (nee Simmett) & L. W. Dart her husband of Tulsa County, in the State of Oklahoma, of the first part, and F. S. Gray of Missouri County, in the State of Oklahoma, of the second part:

WITNESSETH, That said part 1st of the first part, in consideration of Two thousand five hundred Dollars (\$ 2500.00), the receipt of which is hereby acknowledged, do... by these presents grant, bargain, sell and convey unto said part 1st of the second part, his heirs and assigns, the following-described Real Estate, situated in Tulsa County, and State of Oklahoma, to-wit:

Lots six (6) and South fifty (50) feet of lot seven (7), Block Fifty seven (57) of the town of Tulsa in the above named county and state according to the records - plat of said town.

TO HAVE AND TO HOLD THE SAME unto the said part 1st of the second part, his heirs and assigns, together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, forever.

PROVIDED, ALWAYS, And these presents are upon this express condition, that whereas, said first parties had this day executed and delivered their certain promissory note in writing to said part 1st of the second part, described as follows:

Two thousand five hundred & dollars dated August 26th 1911, due one year from date with interest of eight percent per annum, and if interest not paid when due to be come as principal and bear the same rate of interest and in case this note is sued upon, or put into the hands of attorney for collection the makers agree to pay ten per cent for attorneys fees.

Now, if said part 1st of the first part shall pay or cause to be paid to said part 1st of the second part, his heirs or assigns, said sum of money in the above-described note mentioned, together with the interest thereon, according to the terms and tenor of the same, then this mortgage shall be wholly discharged and void; and otherwise shall remain in full force and effect. But if said sum or sums of money or any part thereof, or any interest thereon, is not paid when the same is due, and if the taxes and assessments of every nature which are or may be assessed and levied against said premises or any part thereof are not paid when the same are by law made due and payable, the whole of said sum or sums, and interest thereon, shall then become due and payable, and said part 1st of the second part shall be entitled to the possession of said premises. And the said part 1st of the first part for said consideration do... hereby expressly waive an appraisement of said real estate and all benefit of the homestead exemption and stay laws of the State of Oklahoma.

IN WITNESS WHEREOF, The said part 1st of the first part have hereunto set their hands the day and year first above written.

Matie A Dart nee Simmett
L. W. Dart,

STATE OF OKLAHOMA, TULSA COUNTY, ss.

Before me, B. F. Pettus Notary Public in and for said County and State, on this 26th day of August, 1911, personally appeared Matie A Dart (nee Simmett) and L. W. Dart, her husband to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

My commission expires Sept 12, 1912 B. F. Pettus Notary Public,
(Seal)

ASSIGNMENT

KNOW ALL MEN BY THESE PRESENTS:

That ... County, in the State of Oklahoma, the within-named mortgage... in consideration of the sum of... DOLLARS, to... in hand paid, the receipt whereof is hereby acknowledged, do... hereby SELL, ASSIGN, TRANSFER, SET OVER and CONVEY unto heirs and assigns, the within mortgage deed, the real estate conveyed, and the promissory note, debts and claims thereby secured, and covenants therein contained. To have and to hold the same, forever; subject, nevertheless, to the conditions therein contained.

IN WITNESS WHEREOF, The said mortgage... ha... hereunto set... hand... this... day of... 19...

EXECUTED IN PRESENCE OF

This assignment was filed for record on the... day of... A. D. 19... at... o'clock... M. Fee, \$... Register of Deeds.

RECEIPT

Received of... the within-named mortgagor... the sum of... DOLLARS, in full satisfaction of the within mortgage.

STATE OF OKLAHOMA, TULSA COUNTY, ss.

This instrument was filed for record on the 28 day of Aug, A. D. 1911, at 9³⁰ o'clock a. M. Fees, \$... H. C. Walkley Register of Deeds.

By... Deputy.

(Seal)